## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:16-cr-00221-MOC-DCK

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
Vs.	)	ORDER
	)	
ROBERT LESLIE STENCIL,	)	
	)	
	)	
Defendant.	)	

THIS MATTER is before the court on Defendant's pro se Motions for Return of Property Pursuant to Fed. R. Crim. P. 41(g). Defendant seeks the return of \$413,000, (Doc. No. 610), and two seized trucks, (Doc. No. 611). The Government has responded in opposition, noting that this Court has previously ordered forfeited the trucks and money at issue. (Doc. No. 385). Defendant did not contest the forfeiture of these assets when the Government moved for the forfeiture of the asserts. (Doc. No. 384). The Court granted the Government's Motion for Forfeiture of Property. (Doc. No. 385). Now that the forfeiture of these assets is final, Defendant cannot avail himself of a motion for return of property. United States v. Rudisill, 358 F. App'x 421, 422 (4th Cir. 2009) (Noting that it is proper for a Court to deny a motion for return of property if the defendant "is not entitled to lawful possession of the seized property, the property is contraband or subject to forfeiture or the government's need for the property as evidence continues."). Therefore, the court enters the following Order.

## **ORDER**

## IT IS, THEREFORE, ORDERED that defendant's Motions for Return of Property,

Doc. Nos. 610, 611, are **DENIED**.

Signed: March 28, 2023

Max O. Cogburn Jr

United States District Judge